

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Residence, post office address and citizenship are as stated below next to our names,

We believe we are the original and first inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled RAPID EXCHANGE DELIVERY SYSTEM FOR SELF-EXPANDING STENT, the specification of which (check one)

       is attached hereto

XX was filed on July 31, 2001

Application Serial No. 09/919,490

and was amended on (or amended through)         
(if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

NONE

Number

Country

Day/Month/Year filed

Yes

No

We hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application.

NONE

Appln. Serial No.	Filing Date	Status
		(patented, pending abandoned)

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

EARL A. BRIGHT II, Registration No. 37,045; THOMAS A HASSING, Registration No. 36,159; TIM L. KITCHEN, Registration 41,900; PHILIP S. YIP, Registration 37,265; RICHARD A. BARDIN, Registration No. 20,365; GILBERT G. KOVELMAN; Registration No. 19,552; JOHN S. NAGY, Registration No. 30,664; THOMAS H. MAJCHER, Registration No. 31,119; THOMAS A. RUNK, Registration No. 30,679; RONALD E. PEREZ, Registration No. 36,891; JOHN V. HANLEY, Registration No. 38,171; RICHARD B. CATES, Registration No. 36,100; JOHN K. FITZGERALD, Registration No. 38,881; PAUL Y. FENG, Registration No. 35,510; and GUNTHER O. HANKE, Registration No. 32,989. Direct all telephone calls to JOHN S. NAGY at telephone No. (310) 824-5555.

Address all correspondence to:

FULWIDER PATTON LEE & UTECHT, LLP  
Howard Hughes Center  
6060 Center Drive  
Tenth Floor  
Los Angeles, California 90045

Full name of first inventor: WINNETTE S. McINTOSH

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 2001

Residence: Sunnyvale, California

Citizenship: Republic of Trinidad and Tobago

Post Office Address: 1269 Lakeside Drive, Apt. 3093  
Sunnyvale, California 94806

Full name of first inventor: CHRISTOPHER J. TARAPATA

Inventor's signature: Christopher J. Tarapata

Date: October 27, 2001

Residence: North Andover, Massachusetts

Citizenship: United States of America

Post Office Address: 160 Andover Bypass  
North Andover, Massachusetts 01845

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Residence, post office address and citizenship are as stated below next to our names,

We believe we are the original and first inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled RAPID EXCHANGE DELIVERY SYSTEM FOR SELF-EXPANDING STENT, the specification of which (check one)

       is attached hereto

XX was filed on July 31, 2001

Application Serial No. 09/919,490

and was amended on (or amended through) \_\_\_\_\_  
(if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

NONE

Number

Country

Day/Month/Year filed

Yes

No

We hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application.

NONE

Appln. Serial No.	Filing Date	Status
		(patented, pending abandoned)

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

EARL A. BRIGHT II, Registration No. 37,045; THOMAS A HASSING, Registration No. 36,159; TIM L. KITCHEN, Registration 41,900; PHILIP S. YIP, Registration 37,265; RICHARD A. BARDIN, Registration No. 20,365; GILBERT G. KOVELMAN; Registration No. 19,552; JOHN S. NAGY, Registration No. 30,664; THOMAS H. MAJCHER, Registration No. 31,119; THOMAS A. RUNK, Registration No. 30,679; RONALD E. PEREZ, Registration No. 36,891; JOHN V. HANLEY, Registration No. 38,171; RICHARD B. CATES, Registration No. 36,100; JOHN K. FITZGERALD, Registration No. 38,881; PAUL Y. FENG, Registration No. 35,510; and GUNTHER O. HANKE, Registration No. 32,989. Direct all telephone calls to JOHN S. NAGY at telephone No. (310) 824-5555.

Address all correspondence to:

FULWIDER PATTON LEE & UTECHT, LLP  
Howard Hughes Center  
6060 Center Drive  
Tenth Floor  
Los Angeles, California 90045

Full name of first inventor: WINNETTE S. McINTOSH

Inventor's signature: Winnette McIntosh

Date: 29<sup>th</sup> October, 2001

Residence: Sunnyvale, California

Citizenship: Republic of Trinidad and Tobago

Post Office Address: 1269 Lakeside Drive, Apt. 3093  
Sunnyvale, California 94806

Full name of first inventor: CHRISTOPHER J. TARAPATA

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 2001

Residence: North Andover, Massachusetts

Citizenship: United States of America

Post Office Address: 160 Andover Bypass  
North Andover, Massachusetts 01845

211615.1



105-65997

FEBRUARY 20, 2002

FULWIDER PATTON LEE & UTECHT, LLP  
THOMAS H. MAJCHER  
HOWARD HUGHES CENTER  
6060 CENTER DRIVE, TENTH FLOOR  
LOS ANGELES, CA 90045

PTAS

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
[www.uspto.gov](http://www.uspto.gov)

FTB 25 2002

FULWIDER PATTON LEE & UTECHT, LLP  
LOS ANGELES

\*101933054A\*



UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF  
THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS  
AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER  
REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE  
INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA  
PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD  
FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY  
CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.  
PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,  
ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY,  
SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/27/2001

REEL/FRAME: 012402/0801  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MCINTOSH, WINNETTE S.

DOC DATE: 10/29/2001

ASSIGNOR:

TARAPATA, CHRISTOPHER J.

DOC DATE: 10/27/2001

ASSIGNEE:

ADVANCED CARDIOVASCULAR SYSTEMS,  
INC.  
3200 LAKESIDE DRIVE  
SANTA CLARA, CALIFORNIA 95054-2807

SERIAL NUMBER: 09919490

FILING DATE: 07/31/2001  
ISSUE DATE:

PATENT NUMBER:

JEFFREY OLSEN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

ASSIGNMENT

This Assignment, effective as of July 31, 2001, made by Winnette S. McIntosh of Sunnyvale, California and Christopher J. Tarapata of North Andover, Massachusetts, Assignor, to ADVANCED CARDIOVASCULAR SYSTEMS, INC., a California corporation, Assignee, having a place of business at 3200 Lakeside Drive, Santa Clara, California 95054-2807.

WHEREAS, Assignors have invented a new and useful RAPID EXCHANGE DELIVERY SYSTEM FOR SELF-EXPANDING STENT, for which an application for United States Letters Patent was filed on July 31, 2001 and has Serial No. 09/919,490, and

WHEREAS, Assignors believe themselves to be the original and first inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors hereby sell, assign and transfer to Assignee, the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

Further, Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representative(s) and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable

for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

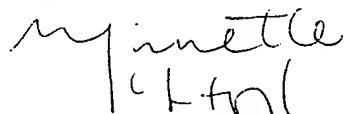
Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignors have executed this Assignment on the date written hereinbelow.

Assignor:

Date: 29<sup>th</sup> October, 2001



\_\_\_\_\_  
WINNETTE S. MCINTOSH

Assignor:

Date: \_\_\_\_\_, 2001

\_\_\_\_\_  
CHRISTOPHER J. TARAPATA

ASSIGNMENT

This Assignment, effective as of July 31, 2001, made by Winnette S. McIntosh of Sunnyvale, California and Christopher J. Tarapata of North Andover, Massachusetts, Assignor, to ADVANCED CARDIOVASCULAR SYSTEMS, INC., a California corporation, Assignee, having a place of business at 3200 Lakeside Drive, Santa Clara, California 95054-2807.

WHEREAS, Assignors have invented a new and useful RAPID EXCHANGE DELIVERY SYSTEM FOR SELF-EXPANDING STENT, for which an application for United States Letters Patent was filed on July 31, 2001 and has Serial No. 09/919,490, and

WHEREAS, Assignors believe themselves to be the original and first inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors hereby sell, assign and transfer to Assignee, the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

Further, Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representative(s) and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable

for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignors have executed this Assignment on the date written hereinbelow.

Assignor:

Date: \_\_\_\_\_, 2001

\_\_\_\_\_  
WINNETTE S. McINTOSH

Assignor:

Date: October 27, 2001

Christopher J. Tarapata  
CHRISTOPHER J. TARAPATA



01-03-2002



To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying parties: Winnette S. McIntosh and Christopher J. Tarapata

12/27/01

Additional name(s) of conveying party(ies) attached?  NO

3. Nature of Conveyance:

 Assignment  Merger Security Agreement  Change of Name Other

Execution Dates: October 29, 2001; October 27, 2001

2. Name and address of receiving party(ies):

Name: Advanced Cardiovascular Systems, Inc.

Internal Address:

Street Address: 3200 Lakeside DriveCity Santa Clara State CA ZIP 95054-2807Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No. 09/919,490

B. Patent No.(s)

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: FULWIDER PATTON LEE &amp; UTECHT, LLP

Internal Address: Howard Hughes Center

Street Address: 6060 Center Drive, Tenth Floor

City: Los Angeles State: CA Zip: 90045

6. Total number of applications and patents involved: One (1)

7. Total fee (37 CFR 3.41): \$ 40.00 Enclosed Any deficiency/overpayment is authorized to be charged to deposit account

8. Deposit account number: 06-2425

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

THOMAS H. MAJCHER

Name of Person Signing

Signature

November 7, 2001

Date

Total number of pages including cover sheet, attachments and document: Five (5)

OMB No. 0651-0011 (exp. 4/94)

01/02/2002 LMUELLER 00000056 09919490

01 FC:581

40.00 OP